

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF)	ORDER CANCELLING
WHEETCO, INC. FOR A GRAIN DEALER)	HEARING
LICENSE AND SETTING THE AMOUNT OF)	
APPLICANT'S BOND)	GD00-001
)	

On June 30, 2000, the Public Utilities Commission (Commission) received a Grain Dealer Application from Wheetco, Inc. (Wheetco), Groton, South Dakota. Wheetco requested a grain dealer's license. Wheetco is a corporation. In a letter dated June 13, 2000, Wheetco requested a hearing.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-45, specifically 49-45-1, 49-45-1.1, 49-45-3, 49-45-6, 49-45-7, 49-45-8 and 49-45-9. A hearing was held on the application at 10:00 A.M., on Friday, July 7, 2000, in Room 412 of the State Capitol, Pierre, South Dakota. The Commission subsequently granted Wheetco a grain dealer's license subject to several conditions. One of the conditions was that if Wheetco was unable to secure additional financing on or before August 22, 2000, Wheetco must appear before the Commission again to determine whether Wheetco's grain dealer's license should be revoked or suspended. *Findings of Fact and Conclusions of Law*, Finding 18(g) at page 4, issued July 21, 2000 (herein incorporated by reference).

On August 17, 2000, Wheetco filed a Request for Extension of Time, asking that it be allowed an additional thirty days to secure additional financing. At its August 22, 2000, meeting, the Commission considered the request. Commissioner Burg moved to grant the request for additional time. The motion died for lack of a second, therefore the request for extension of time was not granted.

Since Wheetco failed to meet all of the conditions as stated in the Commission's order granting Wheetco a grain dealer's license, Wheetco was to appear before the Commission again to determine whether Wheetco's grain dealer's license should be revoked or suspended. By order dated August 28, 2000, a hearing was scheduled for 8:30 A.M., on Friday, September 8, 2000, in Room 413 of the State Capitol, Pierre, South Dakota. On September 7, 2000, Commission Staff was informed that Wheetco had filed a bankruptcy petition. It is therefore

ORDERED, that the hearing scheduled for September 8, 2000, is cancelled.

Dated at Pierre, South Dakota, this 7th day of September, 2000.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner

